

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:  
Assistant Commissioner for Patents,  
Attn: Box Missing Parts,  
Washington, D.C. 20231, on June 17, 1999

PATENT

Attorney Docket No. 16303-007320

TOWNSEND and TOWNSEND and CREW LLP  
By Linda Shaffer



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Ian MacLachlan, *et al.*

Application No.: 09/243,102

Filed: February 2, 1999

For: SYSTEMIC DELIVERY OF SERUM  
STABLE PLASMID LIPID  
PARTICLES FOR CANCER  
THERAPY

Examiner: Unassigned

Art Unit: 1635

TRANSMITTAL LETTER - RESPONSE  
TO NOTICE OF MISSING PARTS

Attn: Box Missing Parts  
Assistant Commissioner for Patents  
Washington, D.C., 20231

Sir:

Pursuant to the Notice to File Missing Parts of Application - Filing Date Granted dated February 22, 1999, enclosed are the following to be made of record in the above-identified application:

- 1) Executed Declaration and Power of Attorney
- 2) Verified Statement Claiming Small Entity Status
- 3) Petition to Extend Time
- 4) Copy of Notice of Missing Parts

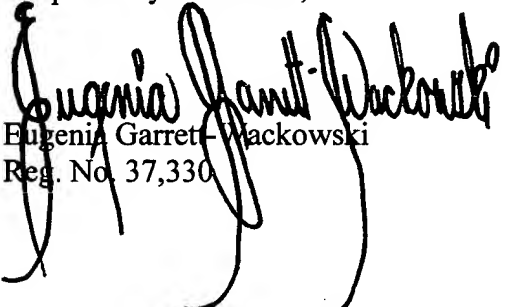
Please charge Deposit Account No. 20-1430 for the following fees:

Small entity: (a)	Filing Fee (§ 1.16(a)) (Small Entity)	\$ 380.00
(b)	Excess Claims Fees (§ 1.16(b), (c)):	
	34 - 20 = 14 x \$9 =	\$126.00
	2 - 3 = 0 x \$39 =	\$0.00
(c)	Missing Parts Surcharge	\$65.00

**TOTAL FEES TO BE CHARGED** **\$571.00**

The Commissioner is hereby authorized to charge any additional fees associated with this paper or during the pendency of this application, or credit any overpayment, to Deposit Account No. 20-1430. This Transmittal Letter is submitted in triplicate.

Respectfully submitted,

  
Eugenia Garrett-Mackowski  
Reg. No. 37,330

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, 8th Floor  
San Francisco, California 94111-3834  
(415) 576-0200  
Fax (415) 576-0300  
EGW/lls:



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

BEST AVAILABLE COPY

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
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09/243,102 02/02/99 MACLACHLAN 16303-73-2

020350 0212/0223  
TOWNSEND AND TOWNSEND AND CREW  
TWO EMBARCADERO CENTER EIGHTH FLOOR  
SAN FRANCISCO CA 94111



1635

DATE MAILED:

02/22/99

### NOTICE TO FILE MISSING PARTS OF APPLICATION Filing Date Granted

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a

☐ small entity (statement filed) ☒ non-small entity is \$ 1,142.00

☒ 1. The statutory basic filing fee is:

- ☒ missing.  
☐ insufficient.

Applicant must submit \$ 760.00 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

☒ 2. Additional claim fees of \$ 252.00, including any multiple dependent claim fees, are required.

\$ for independent claims over 3.

\$ 252.00 for 14 dependent claims over 20.

\$ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☒ 3. The oath or declaration:

- ☒ is missing or unexecuted.  
☐ does not cover the newly submitted items.  
☐ does not identify the application to which it applies.  
☐ does not include the city and state or foreign country of applicant's residence.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

☐ 8. The application does not comply with the Sequence Rules.

See attached "Notice to Comply with Sequence Rules 37 CFR 1.821-1.825."

☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

**A copy of this notice MUST be returned with the reply.**

S. Ahmed  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

02/1999 MARCENL 00000157 201430 02  
300.00 CH  
65.00 CH  
165.00 CH  
FC:201  
FC:205  
FC:203